

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 18-26 (PJS/SER)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	MOTION OF THE UNITED
	)	STATES FOR A PRETRIAL
v.	)	PSYCHIATRIC EVALUATION
	)	UNDER 18 U.S.C. § 4241
TNUZA JAMAL HASSAN,	)	
	)	
Defendant.	)	

The United States, by and through its attorneys, Erica H. MacDonald, United States Attorney, and Assistant U.S. Attorney Andrew Winter, hereby moves the Court, pursuant to 18 U.S.C. § 4241(a), for an order to determine whether the defendant is mentally competent to stand trial in the above captioned matter. Moreover, the United States hereby moves the Court for an Order, pursuant to 18 U.S.C. § 4241(b), that prior to the date of any such hearing, a psychiatric or psychological examination of the defendant be conducted and that a psychiatric or psychological report be filed with the Court subsequent to the requested examination.

18 U.S.C. § 4241(a) provides that, “[a]t any time after the commencement of a prosecution ... the attorney for the Government may file a motion for a hearing to determine the mental competency of the defendant.” *See* 18 U.S.C. § 4241(a). The Court shall grant the motion if “there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.” *Id.*

Moreover, pursuant to 18 U.S.C. § 4241(b), prior to the date of the hearing, the Court may order that a “psychiatric or psychological examination of the defendant be conducted and that a psychiatric or psychological report be filed with the Court” in accordance with the provisions of 18 U.S.C. §§ 4247(b) and (c). *See* 18 U.S.C. § 4241(b).

The United States respectfully submits that there is “reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in his defense.” *See* 18 U.S.C. § 4241(b). Accordingly, the United States respectfully requests that the Court order a psychiatric or psychological examination of the defendant be conducted forthwith and that a psychiatric or psychological report be filed with the Court pursuant to the provisions of 18 U.S.C. §§ 4247(b) and (c). The government also requests that the Court commit the defendant to the custody of the Attorney General pursuant to 18 U.S.C. § 4247(b) for a reasonable period, but not to exceed 30 days, for placement in a suitable facility to conduct the examination.

This motion is based upon all files, records and proceedings herein.

Dated: January 29, 2019

Respectfully submitted,

ERICA H. MacDONALD  
United States Attorney

*s/ Andrew R. Winter*

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